IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 135 OF 2006

WITH

CHAMBER SUMMONS NO. 35 OF 2006

Dr. Shelty Almeida ... PETITIONER

V/s.

Dy. Registrar of Co-operative Societies & Anr. ... RESPONDENTS

Mr. Rajiv More i/b. Monica Sakharani for the petitioner.
Mr. K.R. Belosey, A.G.P. for the Respondent No.1.
Mr. Cliv D'souza for Respondent No.2.
Ms. Gloria L. Crasto, Respondent No. 3 and for applicant / intervener in Chamber Summons No. 35 of 2006.

CORAM : F.I. REBELLO,
ANOOP V. MOHTA, JJ.

DATED : 14th March, 2006

P.C.

. Rule. Heard forthwith.

2. The petitioner approached this Court aggrieved by the order of Respondent No. 1 dated 1st September, 2005 and thereafter by Show Cause Notice dated 24.10.2005 issued to Respondent No. 2 - Society. The intervener had approached the Respondent No. 1 on the ground that his name ought to have been placed higher than the petitioner in the name of nominees. That application was moved under the Right of Information

Act. After hearing the intervener and Respondent No.2-Society, Respondent No. 2 recorded the statement of Respondent No. 1 and directed the society to effect the changes. The grievance of the petitioner is that he was not aware that such a direction had come to be passed. Considering the above, the petition can be disposed of by issuing the following directions :-

i. Respondent No. 1 through their counsel makes a statement that the show cause notice dated 24.10.2005 stands withdrawn.

ii. The Respondent No. 2 will consider the application of respondent/intervener as application made u/s 79 of the M.C.S. Act.

iii. Respondent No. 1 will exercise suo-moto powers and after hearing the petitioner, respondent No. 2 and intervener and any other interested party will pass appropriate order according to law.

iv. The petitioner, Respondent No. 2 and interveneur will appear before Respondent No. 1 on 22nd March, 2006 at 11.00 a.m. for further directions.

v. Considering that there are several other nominees of respondent No. 2 to hear them also if they choose to appear after issuing notice and then pass appropriate order according to law. Petition disposed of accordingly.

vi. Chamber Summons stands disposed of in view of disposal of petition.

[F.I. REBELLO,J.]

[ANOOP V. MOHTA, J.]